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Attorneys for Petitioner
LEE MAX BARNETT

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEE MAX BARNETT,

Petitioner,

v.

ROBERT L. AYERS, JR., WARDEN,
San Quentin State Prison

Respondent.

NO. CIV-S-99-2416 JAM CMK

STIPULATION FOR ORDER TO SHORTEN
TIME FOR HEARING ON PETITIONER'S
MOTION FOR LEAVE TO TAKE DEPOSITION
OF JACEK GABRYELSKI; ORDER
(Local Rule 6-144(e))

DEATH PENALTY CASE

Hearing Date: Wednesday, October 22, 2008
Hearing Time: 10:00 a.m.
Location: Redding (Telephonic Appearances)

Jennifer M. Corey and Robert D. Bacon, counsel for Petitioner LEE MAX BARNETT, and Deputy
Attorney General Tami M. Warwick, counsel for Respondent, stipulate to the Court issuing an order
shortening time for the hearing on Petitioner's motion for leave to depose Jacek Gabryelski.

Stipulation to Shorten Time for Hearing on
Petitioner's Motion for Leave to Take Deposition
of Jacek Gabryelski; ~~Proposed~~ Order

Respondent's agreement is conditioned on having one week to respond to the motion before it is heard. Petitioner will make his reply orally at the hearing.

Petitioner's counsel checked with the Court's clerk, and learned that the Court will hear civil law and motions on Wednesday, October 22, at 10:00 a.m. The parties suggest that the Court hear the motion at that time.

Dated: October 10, 2008

Respectfully submitted,

ROBERT D. BACON

EDMUND G. BROWN JR.

Attorney General of the State of California

DANIEL J. BRODERICK
Federal Defender

/s/ Jennifer M. Corey
JENNIFER M. COREY
Assistant Federal Defender

/s/ Tami M. Warwick (as approved 10/9/08)
Tami M. Warwick
Deputy Attorney General

Attorneys for Petitioner
LEE MAX BARNETT

Attorneys for Respondent

Stipulation to Shorten Time for Hearing on
Petitioner's Motion for Leave to Take Deposition
of Jacek Gabryelski; ~~Proposed~~ Order

ORDER

Good cause appearing, and there being no opposition, it is hereby ordered that, pursuant to Eastern District Local Rule 6-144(e), the time for hearing Petitioner's motion for leave to take deposition of Jacek Gabryelski is hereby shortened.

Respondent shall serve and file any response to the motion no later than 5:00 p.m., Friday, October 17, 2008.

This Court will hear Petitioner's motion on October 22, 2008, at 10:00, a.m.
Counsel may appear telephonically.

It is so ordered.

DATED: October 15, 2008


CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE